

App. F. IX-4

Previous References

1928-29.

(Pri.)

File No. 42

Serial Nos. /—

Later References

No. 42-28(5-9)

General and Revenue Secretariat

Serial Nos.

4

Part B for Aug 29

SUBJECT

Expenditure incurred in
escorting 3 prisoners of the
Bangalore central Jail to and
from Siddapur in Coorg

Sl. 4.

No. 401 731.

Dt. 19.1.29

To the Secretary to the Resident

States that the Govt., is not
prepared to recover from the
officers at fault half the excess
expenditure and remit the same

198/22

1)

3477
P. 42-28

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

No. 10072/251-1928
29.10.28 from the
Secretary to the Resident
forwarding copy of letter
no. 1342/9 of 19.10.28
from the Commissioner
of Police Civil and
Military Station
Bangalore in the
matter of meeting the
expenditure of Rs 100-14-0
incurred -

* Off. Memo for notes.

1) This may be
transferred to the
Grants Deptt (Prisons Deptt)

M.
24/10

2) For approval -
1/11

ROUTINE NOTES.

71. [Matters of this kind, requisitions, etc., not intended for permanent record.]

Police authorities you - see M. Black:

The Police authorities are in a way
to be blamed for the mistake.
The Police took at the time of
taking charges of the prisoners
right to have demanded
a copy of the warrant from the
Magistrate's Office and also
the nominal rolls of the prisoners.
But this defence writes the that
the requisition to the head of Police
for Police's cost was sufficient
authorities to take charge of the
prisoners. ~~And so the mistake~~
~~and a serious mistake~~

Jail authorities:

1. Ministerial establishment The draft
to the head of Police has not been

N. B.—Should routine notes be written on small slips,
the notes must be copied, or slips pasted on
this form.

properly prepared and submitted

ROUTINE NOTES.

[These are not for notes, requisitions, etc., not intended for permanent record.]

no unimportant of the Court of Sessions:

Police authorities are in a way

be blamed for the mistake.

Police costs at the time of

King Charges of the Prisoners

it to have demanded

copy of the warrant from

agitation caused and also

nominal rolls of the Prison

at this defence with the

requisition to the Court of Police

Police costs was sufficient

authorities to take charge of

is one of the most

and a serious mistake

Police authorities:

Industrial establishments The

the Court of Police has not

N. B.—Should routine notes be written on small
the notes must be copied, or slips pasted
this form.

properly prepared and sent

to the Court. If there is no

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

When upon the voyage
 Jail ~~books~~^X to the Commis
 & Police Cas M. & taken to
 arrange for police escort to ~~take~~
 the prisoners to the 2nd class ~~hatch~~
 & ~~adaptor~~ without embargo &
 copy of the warrant of the
 St. Lawrence & Kanara.
 The Police escort accordingly
~~Proceed~~^{Proceed} took the prisoners to
 a ~~long~~ place first and then
 to the Court place and
~~incurred~~^{extra} the ~~cost~~ ~~of~~ ~~per~~ ~~the~~
~~ref~~ ~~to~~ ~~the~~ ~~case~~.
 The question is how far the
 Police are ~~thinks~~ of the Court re
 & taken and the Jail are ~~thinks~~
 of the Police are responsible
 1,60,000-25-21 ~~in~~ take under ~~and~~ ~~sent~~

Routine Notes.

To be used only for notes, requisitions, etc., not intended for permanent record.]

9) Further it is understood that the Railway fare of the Prisoner & Escort is usually advanced by the P.O. The Police Officer at the C & M Station could not have advanced the money without knowing the railway Station to which the Prisoner & the escort had to proceed. ~~If it was~~ If the place of the destination was Sid in Coorg, the railway fare would be from Bangalore to Mysore but if it was Sid in North Canara, the Railway fare would be from Bangalore to Shimoga - It will be seen from the enclosure to the Residency letter that the Railway fare ~~was~~ from Bangalore to Mysore was advanced.

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Evidently the Police escort proceeded to Siddapur in South Coorg of their own accord and their chief contention is that the Jail authorities did not inform them definitely as to where the prisoners had to be taken even without asking for Brit the Comm. of Police C+M Str does not state whether it was not the duty of the escort to ascertain before hand to which Siddapur they had to go.

Moreover the Comm of Police C+M is doubtful if the extra expenditure has to be borne by the Mysore authorities and the Residency wish to know the views of this Govt in the matter.

It is therefore for consideration.

N.B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

the Residency may be informed that there is no reason for meeting this expenditure ^{promptly} in as much as it was the duty of the Locust to have ascertained before hand the exact place to which they had to proceed without leading the prisoners blindly to Siddapur in Coorg.

The I.C.P. states that we are all familiar with several villages bearing the same name in a Taluk or a District. If this is ~~incorrect~~ ^{correct} If this can be accepted, the Police Authorities of the C.M. Station should be expected to know the existence of two places bearing the same name. If Siddapur is for territory ~~than~~ ^{better than} our local staff in the Jail especially as they are Magistrate Courts in places, & this fact ~~must~~ ^{must} ~~must~~ ^{must} necessarily create a doubt in

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent

I do not think it would be
 at to throw the whole blame for
 comedy of errors on the C. & M.
 in police authorities and absolve
 own officers from all blame in the
 matter. It is the requisition received
 from the District Magistrate of ~~Kanara~~
 the Canara that should be taken
 the basis for the handing over
 the prisoners to the Police escort
 and not a subsequent reference
 received from the Mamlatdar of
 Dapur. The clerk who put up
 draft to the Commissioner of Police
 on the basis of the latter cannot take
 matter under the circumstance that
 there was no mention of the name of
 the district in the Mamlatdar's letter.
 He should have had the entire
 correspondence on the subject before
 putting up the draft and he could
 not possibly escape from blame
 for his negligence in this direction.

3) Similarly, the Chief Jailor
 who was responsible for handing over
 the prisoners to the police escort
 should have thought fit to refer to
 the original requisition from the

N. B.—Should routine notes be written on small slips
 the notes must be copied, or slips pasted on
 this form.

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

DEWAN'S OFFICE
9. JAN. 28
No. 2036

7106
8/1

District Magistrate of North Canan
and not acted merely on the re-
quisition sent from the jail to the
Commissioner of Police.

(14) It appears therefore reason-
able to make these two officials responsible
for the charges claimed by the C. &
Station police.

Genl Secy

Secy
21/12/24

Riz
8/1/25

320 memos

(15) The Jail Officer must have
known that the papers
submitted were in N. Kanare
mecon. This was not
Name in assuming the
Kaddappa in copy was the
Jail Officer. In these
circumstances, I think the Dy. S.
must be informed that the Jail
Officer is prepared to receive
from the Jail Officer concerned
half the expenses incurred, viz.

BSD. 7-0.
(16) Please submit to Dew

ROUTINE NOTES.

To be used only for notes, requisitions, etc., not intended for permanent record.]

DEWANE'S OFFICE.
17 JAN. 1929
No. 3181

1) Draft letters to Residency

is inhibited for approval.

personal of Director's orders.

WJ KD (3rd Member) 12/1/29

11/1/29

19) approx. number

19.1.29

27
51

16/1

abt- for perusal of Director

Rg

17/1/29

17/1

Routine Notes.

To be used only for notes, requisitions, etc., not intended for permanent record.]

See to the 6.

no pol 731

states that the Gov
ould be prepared to
on the jail authorities
officers at Gaule Hall
excess expenditure and
emit the same to the
commr & police and
station

4) It has been ^{about} decided
the jail authorities are
responsible for the mistake
this case. The question
the particular officers &
who are responsible may
exd. to a newspaper

12/

26)

Please see article 434 of the Jail Manual
- put up -

^{put}
^{13/2} Please see rule 4-37 which
lays down that the Jail
Authorities (The Supt) should give
the Officer in charge of the escort
~~a memo~~ a memo showing
among other things, the route
they have to take. Attention
is also invited once more to No. 1
in para 9 above -

K.P. -

18/7

27)

The Rules quoted refer to the transfer of
prisoners from one jail to another within the State.
But what are the rules relating to the surrender of
prisoners charged with an extraditable offence by a
British Indian Court? Please see if there is any
provision on this point in the Extradition Act or the
Criminal Procedure Code. Also put up Notification
No. J. 219/legis. 14-04-14 dated 20.7.1907 referred to
in the Jail Superintendent's letter of 8th Nov. 1928 to the
D. G. of Prisons.

dec
15/4/29

28)

To the Supt. Prisons for with reports for
favor of ~~protection~~ causing the inform
required by the Act to be noted & ref

put up

^{put up}
^{15/2} 18/7/29

In forwarded to
presented in S.O. No. 22013

Serial
No.

2013-23-Regis 14504-15 of
6-1-1908 or copy of which may
be got from the records

See
16/2 Lysr from Dammah
with Compliments)

16/4/29 30) Please see copy of H.O. of 6.1.1908
- put up - with reference to para. 2) Infra.

10/2 31)

There is no specific provision in our Jail Manual regarding the procedure to be adopted when a prisoner from our jails is to be surrendered to a British Indian Court for being tried for an extradition offence committed by him. But it is provided in the Govt. Notification of 20th July 1907 that, when the officer in charge of a prison in Mysore receives a requisition in this behalf through the proper channel, such officer shall act upon and comply with the same by causing such person to be conveyed to the place and delivered to the person or authority indicated therein. From this, it is clear that our jail officers are responsible ~~for~~ ^{for} making necessary arrangements both for the prisoner being conveyed to the place as well as for his being delivered to the proper authority in British India. They should therefore arrange for the necessary escort and furnish them with all necessary particulars regarding the place at which and the authority to whom the prisoner is to be delivered. It does not appear that, in the present case, our jail officers have carried out the responsibility devolving on them.

rial
to.

The Superintendent of the Central Jail seems to think that his responsibility ceased when he made a request for police escort without giving full details about destination to which the prisoners had to be conveyed and when he ordered for the prisoners being handed to the police escort. The present controversy would have arisen if he had taken care to see that the original requisition from the District Magistrate of North Can had been taken as the basis for his action at least. His failure in this respect was due also to the carelessness of the clerk who put up a draft to the Commissioner of Police without mentioning the name of the district in which the Court was situated and of the Chief Jail who ~~sent~~ handed over the prisoners to the police escort without making a reference to the original requisition of the District Magistrate. The excess charges incurred by the Police Commissioner will therefore have to be recovered from the two officials at fault (and also from the Superintendent if considered desirable).

32) With a view to prevent the recurrence of such irregularities in future, it appears desirable to incorporate into the Jail Manual some simple rules indicating the procedure to be adopted in such cases. Proposals in this behalf will, if approved, be called for from the D. G. of Prisons.

Genl Secy. 33) (I agree with R.A.S.)

19/1/29

32) W. M. M. M.

20/2/29

34) I agree that all the three names be held liable. Further action may be taken as required.

General and Revenue
Secretariat

Pris File No.

42

App F. III-2]
of 1928

Serial
No.

Sul
KD
- 22/2/29

4

a rep from the SCS

by
21.2.29

Rg
22/2/29.

To the Secretary to the President,

PD. 731 of 19.1.29. States that Govt. will
be prepared to recover from the Jail Officers
at fault - half the excess expenditure
incurred & ~~the~~ remit the same to the Commi-
sioner of Police, Ctm Station etc.

5/5 KD

Shall a reminder issue to

Gen Secy to the
Residency

for a reply to this Office No. _____, dated the
22/3/19 19.1.1929

Subject.

2 May a reminder
is in this case?

Re the recovery of a
sum of Rs 100-14-0
incurred in excess in
escorting prisoners to
Siddapur.

29 There seems to be
no need for our reminding
the Residency. It is for
the notice of the C.M. Station
to claim the amount
and say if the terms proposed
will be acceptable to them.

~~rather~~ the member has
advised that further
action should be taken
after the receipt of

a reply from the Residency.

~~Reminder~~ Issue of Reminders

Appears not necessary in

this case

K.D.

.....

No.

20/5
14/5

All communications
should be addressed
to the Secretary to the
Resident in Mysore,
Bangalore,
by designation and not by name.

568.

Pr

Pr

Pr 10072

Enclos. 2

Pr Bangalore, 29th Oct. 1928
C.W.

29th Oct. 1928

~~Ch 93 2~~

Pr 42-2

A copy of the marginally* noted letter, ^{and of its} with enclosure, is forwarded

*No. 1342/G, dated the 19th October, 1928,

from the Commissioner
Police, Civil & Military Station,
Bangalore.

with compliments, to the

the Government of H. E. the Maharaja
Mysore, Law Department, with the request

that the Mysore Government will

intimate their views in the matter.

Letter No.1342/G, dated the 19th October, 1928, from the Commissioner of Police, Civil and Military Station, Bangalore, to the Secretary to the Hon'ble the Resident in Mysore, Bangalore through the District Magistrate, Civil & Military Station, Bangalore.

---:0:---

The Superintendent, Bangalore Central Jail, intimated in his letter No.435 dated 2nd October 1928 that arrangements should be made by the Station police to escort 3 prisoners to the court of the 2nd class Magistrate, Siddapur, to answer a charge. On 5th October 1928 the Station police took charge of the prisoners. The jail authorities did not hand over remand warrants with the prisoners and the gate keeper of the Jail who handed over the prisoners to the escorting police stated in writing that there were no records for the prisoners.

As it was said in the letter referred to above that the prisoners should be escorted to Siddapur, the prisoners were escorted to Siddapur, South Coorg. The Magistrate of that place returned the prisoners stating that they were not required by the Magistrate. The prisoners were brought back to Bangalore Central Jail and Jail authorities then said that the prisoners should have been taken to Siddapur, North Kanara District.

On account of the mistake committed by the Jail authorities in not stating the district to which the prisoners have to be escorted, an expenditure of Rs.100/14/- as detailed in the margin was unnecessarily incurred in escorting the prisoners to Coorg.

If you consider that the Mysore Government should bear the expenditure, a reference may kindly be made to the Mysore Government and their decision may be intimated to me.

fare for escort and prisoners	
Bangalore to Mysore and return.	Rs.21/-
and batta for 6 days.	" 4/8/-
and allowance of escort.	" 75/6/-
	Rs.100/14/-

---:0:---

N.Dis.5005/C/28, dated 24th October, 1928.

Forwarded.

Sd. T.B.Russell,
District Magistrate,
Civil & Military Station, Bangalore.

Letter No. 435. dated 2nd October 1928, from the Superintendent Central Jail, Bangalore to the Commissioner of Police, Civil and Military Station, Bangalore.

---:0:---

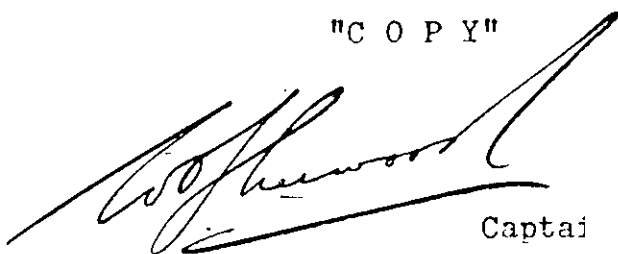
*

I have the honour to state that the marginally noted prisors of this jail are to be sent to 2nd Class Magistrate, Siddapur to answer a charge, pending against them and as such I request you to so good as to arrange for a Police Escort to take charge of the prisoners at 6 A.M. on 5th October 1928 together with railway fare etc.

Bhima.
Hanuma.
Fakira.

---:0:---

"C O P Y"



Captai

REGISTRAR, RESIDENT'S OFFICE.

8.

Diary No. of letter replied to.....

General and Revenue Secretariat

()

the

192

Date of issue.....

Signed by

of enclosures.....

d by.....

ined by.....

and to report you
to prison you appear
a to whether the report
for received bear the
expenditure. Jam. alid

Section ~~4th~~ Prison

File No. ~~93-28~~ 42

Serial No. 2

No. G. 5336/42

To

The J. G. of Prison

Sir,

I am directed to forward herewith Com. of Sec. No 1342/9 of 19.10.28 from the Commr of Police Civ and Mil. Station Bangalore together ^{that} of its enclosure the in the matter of an expenditure of Rs 100- incurred in escorting three prisoners ^{of the Central J.} to

Siddafur, en to engine why rem and to want were not handed over

long with the prisoners and
he is responsible for
a ~~set~~ of opinion that
~~have led to an unnecessary~~
~~expenditure of Rs 100 - 14 -~~
For ^{very early} ~~the immediate~~ reply
is requested.

Yours etc

R. G. H. H.

Ex- Sec to Govt

Law Dept.

Office of the Inspector-General of Prisons
in Mysore,
Dated Bangalore, 13th December 1928

From

The Inspector-General of Prisons
in Mysore, Bangalore.

GENERAL MISCELLANEOUS BRANCH
14 DEC. 1928
Eym 46.98
328
Pm 42-28-5

The General Secretary to the Government of H.H. the
Maharaja of Mysore, Bangalore.

Sir,

With reference to your letter No. G. 5336/Pris. 42-28 dated 6th ultimo, I have the honour to state that it may be seen from the enclosed correspondence that the prisoners were conveyed to Siddapur South Coorg instead of to Siddapur in North Kanara. The District is clearly mentioned in the communication to the Superintendent Central Jail, Bangalore forwarded through the Hon'ble the Resident in Mysore dated 9th August 1928. This reference was available in the Central Jail when the Police escort of the C. & M. Station took over charge of the prisoners at the time of surrender. The mistake in taking the prisoners to Siddapur South Coorg instead of to Siddapur North Kanara is explained by the Superintendent to be due to the Police escort not making enquiries of the Jail authorities as to where the prisoners had to be taken to, but on their own responsibility taking them to South Coorg. It is also stated that the Superintendent as for his duty was concerned "only ordered" the handing over of the prisoners to the escort and that "the actual handing over is done by the Chief Jailor and that he would have readily given the escort all information that might have been wanted of him." I am not prepared to accept this explanation.

The remand for surrender was received by the Superintendent Central Jail. He applied for the necessary escort and got it. It was primarily the duty of the Jail authorities to intimate to the escort where exactly the prisoners had to be taken to - when they said Siddapur, they should also have said Siddapur North Kanara Dist. etc. We are all familiar with several villages bearing the same name in a Taluk or a District. I do not also

I do not also think that the Superintendent is completely free from blame in this matter. He is a whole-time Officer and ~~has~~ is expected to pay personal attention to the Jail routine, whatever might be the immediate responsibility of the Chief Jailor.

Considering ~~the~~ all the aspects of the case, I am of opinion that the Superintendent of the Central Jail should re-imburse the Government for the expenses under reference. The Police authorities of C. & M. Station also are not free from blame as it was their duty to enquire where the prisoners are to ^{be} taken instead of leading them blindly.

I have the honour to be

Sir,

Your most obedient servant,

W. S. M. M. M.

Inspector-General of Prisons.

(87)
Office of the Superintendent,,
Central Jail,
Bangalore, ~~18 November~~ ^{18 December} 1928.

From

The Superintendent,
Central Jail, Bangalore.

C-211-10
1/12/28

To

The Inspector-General of Prisons
in Mysore, Bangalore.

Sir,

In reply to your No. 211-9 dated the 30th November 1928 enquiring whether it was not my duty to have informed the escorting Police of the correct destination of the prisoners referred to in the above, I have the honor to submit that it is not the duty of the Superintendent ~~to~~ to personally instruct such Police who come here on requisition sent to the Head of their Office, that it is the Jailor who hands over the prisoners to the escorting Police and that in this case the escorting Police as stated in para 2 of my letter No. 713/F.5 dated the 14th November 1928 asked for no instructions and received none.

I may add that at the time of addressing the Commissioner of Police, this Office had the least inkling that the prisoners would be taken to a wrong place or that a mistake would likely be committed.

I venture once again to submit to you that my point is that since my requisition for the Police escort contained no information as to the name of the District in which the particular Siddapur is situated the Police should not have gone to any Siddapur unless they definitely knew that they were going to the right place and if they have ~~gone~~ gone to the wrong place ^{as in this case} they have done it at their own risk. I think it would be well to ascertain beforehand under whose instructions the escorting Police took the prisoners to the South Coorg when the same was not mentioned in my requisition.

I have the honor to be, Sir,
Your most obedient servant,

K. S. Narayana

211-11
requis - 1/12/28
The information was in the warrant.
The sketch have been mentioned
in the requisition because of knowing
him in the Clerk. The Deputy Jail or
Foster have no authority. Whana
even ^{prisoner} under it to make your instruction
approved. May I know what you
have to say.

W. H. M. Mow
J. M.

Submitted.

I have already stated that the District
has not mentioned in the requisition or the
mission was due to the clerk that drafted
the letter addressed to the Commissioner
of Police, having seen the reply letter received
from the Magistrate, Siddapur.
I might have filled up the omission, this I would
have done if I had the least suspicion
that the Escorting Police would make a
mistake.
Of course, the handing over of the prisoners
to the escort was ordered by me or the
actual handing over is done by the Chief
Warden & he would have readily given the
escort all information if that might have been
wanted. I have already stated in my previ-
ous reference, that when the District was not heard
when the information furnished about the deed
was incomplete, it was the duty of the escort to
have secured full information before starting.
The prisoners would have certainly enlightened
the officer in charge, if they were questioned.
According to our Jail Manual, the Siddapur Magistrate

211-9 Office of the Inspector-General of Prisons
in Mysore.

Dated Bangalore, 30th November 1928.

From

The Inspector-General of Prisons
in Mysore, Bangalore.

To

The Superintendent,
Central Jail, Bangalore.

-@-@-@-@-@-@-@-@-

In connection with the surrender of prisoners
No. 8370 Bhima, 8371 Hanuma and 8372 Fakira of his
to the 2nd Class Magistrate at Siddapur, North Kanara
District, has the honour to request to be informed
immediately whether it was not the duty of the Super-
intendent to have directed the escorting police to
particular Siddapur to which the prisoners had to be
taken to as he was aware of the correct destination
per surrender warrant received by him through the
the British Resident in Mysore, Bangalore.

16
Office of the Superintendent

Central Jail,

Bangalore, 14th November 1928

The Superintendent,

Central Jail, Bangalore.

Ref no: C. 211-8
14/11/28

To

The Inspector-General of Prisons

in Mysore, Bangalore.

~~Sir~~

Subject:- Liability for our expenditure of Rs.100-14-0
Sir,

With reference to your No.C. 211-7 dated the 9th instant observing that two of the statements made in my let No. 678 of the 8th instant contradict one another, I have the honor to intimate that this office communication was not made to the Siddapur Magistrate in reply to his communication but was made on a reference received from the Residency.

In the reply received from the Siddapur Magistrate the District is not mentioned. The requisition for Police escort was drafted on this reference and hence the omission to mention the District. The references in question are enclosed in original for information and favour of return when alone with.

As regards why the Police escort were not intimate of the exact destination of the prisoners if the Chief Jail knew about it, the Chief Jailor reports that he was present in Jail at the time the prisoners passed out to the gate, that the officer in charge of the escort did not ask him which Siddapur was their destination, and that he did not volunteer the information as he had no idea that there were two Siddapurs and that the escort would take the prisoners to a wrong place.

The Station Police base their claim for refund of necessary expenditure because the name of the District had been omitted in the requisition sent to them. My point is

District not mentioned therein. It was their duty to have ascertained the District if they did not know it, before acting on their own responsibility.

Emitted 4 29 for order

I have the honor to be,

Sir,

Your most obedient

K. S. Narayana
Superintendent.

Subject:- Surrender of (1) Choncha Fakira, --, --
and (3) Hanma Naga : Requisition for --.

[Signature] --0--
No.

To

Officer
in Charge Central Jail, Bangalore.

Whereas it has been represented by the Magistrate II Class, Siddapur, in this district that (1) Choncha Fakira, (2) Bhima Naga and (3) Hanuma Naga, Korchars of Sorab Taluk who are said to have been undergoing imprisonment in your Central Jail, stand charged with an extraditable offence, namely, theft and house-breaking by night punishable under sections 380 and 457, Indian Penal Code.

You are therefore requested to be so good as to produce and deliver the above-named (1) Choncha Fakira, ⁸³⁷² (2) Bhima Naga ⁸³⁷⁰ and (3) Hanuma Naga ⁸³⁷¹ who are confined in the Central Prison, Bangalore, to the Mamlatdar and Magistrate at Siddapur in this district.

Given under my hand and seal at Karwar this day, the 4 of August, 1928.



[Signature]

District Magistrate,
North Kanara.

Forwarded with compliments
to the Hon'ble the Resident in
Bangalore.

Copy of the foregoing forwarded to the Magistrate's Office
Siddapam - North Canara ^N for favor of intimating to
this office the no. of the case, name of the Court from & date
of the decision of the arbitrator required by him, in which which they
cannot be traced in this Court. Any previous references
made or received in this connection may also be noted

18

For Subdly

I have the honor to state, that
initially noted prisoners of this jail
to be sent to the class magistrate
under a charge, pending against ^{the} a
with I request you to be to be
arrange for ^{a police} ~~an~~ ^{to} ~~be~~ ^{be} ~~sent~~ ^{sent} ~~to~~ ^{to} ~~the~~ ^{the} ~~police~~ ^{police}

Change of the prisoners at base
- 10 - 19 28. ~~to~~ ^{to} ~~be~~ ^{be} ~~sent~~ ^{sent} ~~to~~ ^{to} ~~the~~ ^{the} ~~police~~ ^{police}

I have etc
18

Respectfully

B.C.

236 D. 2/10/28

Copy of the above is forwarded. ^Q
Class magistrate is to be sent for.

387
1/10/28

subject: - prisoners of 1 Joriza
 Sakima, 2 Ohiana Naga &
 3 Hanuma Naga

No. S. 36/1/29 & 30
 1928

From, Mr. M. B. Koffiker, B.A.,
 Magistrate II class,
 Sidapur
 To, The Superintendent, Central
 Jail, Bangalore

Sidapur 28.9.28.

Sir,
 With reference to your no.
 160 dated 2nd of August 1928, I have
 the honor to inform you the
 following particulars regarding
 the 3 accused above referred to:-

<u>Name of accused</u>	<u>No of the case</u>	<u>Name of the court</u>	<u>Term & date of the sentence</u>
Joriza Sakima	$\frac{7}{27-28}$	District Magistrate Chionaga	29 yrs' Rigorous imprisonment 19-6-28
Do	$\frac{8}{27-28}$	Do	19 yrs' Rigorous imprisonment 20-6-28
Ohiana Naga	$\frac{7}{27-28}$	Do	29 yrs' Rigorous imprisonment 19-6-28
Do	$\frac{8}{27-28}$	Do	19 yrs' Rigorous imprisonment 20-6-28
Hanuma Naga	$\frac{7}{27-28}$	Do	19 yrs' Rigorous imprisonment 19-6-28
Do	$\frac{8}{27-28}$	Do	19 yrs' Rigorous imprisonment 20-6-28

2. Arrangements for the subsistence
 of the accused men kindly to be made

The Inspector-General of Prisons
in Mysore, Bangalore.

To

The Superintendent

Central Jail, Bangalore

Dated. ^{9th} November 1928.

No. C-211-7

His Letter No. 678 dated 8th November
in connection with the escorting by the Po
of three prisoners of his Jail to Siddapur

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With reference to the above, has the h
to state that the statements made in the
letter viz., " (i) that the particular Dis
in which the particular Siddapur is situat
was not mentioned by the drafting clerk -
owing to its absence in the communication
of the Siddapur Magistrate received in the
Office in reply to our communication" and
that (ii) " the Officer in charge of the
escort at the time might have easily ascer
tained from the Chief Jailer, who at least
if enquired, would have enlightened him as
to which Siddapur they were to be taken to
are contrary to each other.

The Superintendent is requested to
submit the original communication received
by him from Siddapur Magistrate and also h
Office communication on the subject. He is
also requested to explain why the Police
escort were not intimated re: the exact pl
to which the prisoners had to be taken to
if the Chief Jailer knew about it.

A very early reply is requested.

Office of the Superintendent,
Central Jail,
Bangalore, 8th November 1928.

From

The Superintendent,
Central Jail, Bangalore.

Reyno C. 211-6
8/11/28.

To

The Inspector-General of Prisons
in Mysore, Bangalore.

Subject:- Liability for an expenditure of Rs.100-14-0
incurred in escorting 3 prisoners of this Jail to
and from Siddapur in Coorg where these were not wanted

In returning the enclosures on the above subject, I have the honor to report that in the requisition for Police escort the name of the particular district in which the particular Siddapur ^{is situated} was not mentioned by the drafting clerk owing to its absence in the communication of the Siddapur Magistrate received in this office in reply to our communication. The requisition for Police escort viz., letter No. 435 of this Office is dated 2-10-1928. It was despatched by post the same day and must have reached the Office of the Commissioner of Police, C. & M. Station, Bangalore ^{on} the 3rd idem. The escort called here on the 5th idem which was the date fixed for the escort of prisoners. There was thus a clear interval of not less than two days to ascertain which Siddapur was referred to in the requisition. The Officer in charge of the escort at the time might have easily ascertained from the Chief Jailor who was present in the Jail before taking charge of the prisoners, who at least, if enquired, would have enlightened him as to which Siddapur they were to be taken to.

I have examined the Gate-keeper on duty at the time, and he says he has not given Police escort anything in writing. In fact no records of any kind were being handed over in such cases to the Police escorts. While in the requisition for Police escort, Coorg was not mentioned, why the escort chose to go to Coorg cannot be understood.

As regards why remand warrants were not handed over to the Police, I have to state that the Jail itself does not get any such warrants. All that it receives is a requisition in conformity with the condition laid down in Government Notification No. J. 219/Legis. 14-04-14 dated 20-7-1907 and the Police escort was being requisitioned ~~from~~ for by means of mere letters on the basis of such requisition till the occurrence of this incident.

Subsequent to this, I have arranged to send also a copy of the requisition along with the letter asking for Police escort. But it strikes me that British Indian Magistrates requiring the surrender of prisoners confined in this Jail should act in conformity with Rule 416 Mysore Jail Manual and address the Police *Concerned*.

In conclusion, I beg to state that as much as the Police escort ~~has~~ gone to Siddapur in Coorg on their own responsibility without making the enquiries which Siddapur they had to go to, I am of opinion that the travelling expenditure ~~cannot~~ be borne by the Mysore Government.

I have the honor to be,

Sir,

Your most obedient servant,

K. S. Rao

Superintendent.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 19th January, 1929.

Pris 42-28-4

To A. C. Lothian Esq., I.C.S.,
~~Major K. A. G. EVANS GORDON,~~
Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Sir,

With reference to your Memo No. 10072/251-1928 dated 19th October 1928, calling for the views of the Mysore Government in regard to the recovery of a sum of Rs.100-14-0 incurred in excess in escorting prisoners to the Court of the Second Class Magistrate at Siddapur, I am directed to state that there is no reason why the Mysore Government should bear this expenditure.

In the view of this Government, the responsibility for the mistake rests on both the Jail authorities and the Police Escort. The Superintendent of the Jail should have intimate that Siddapur referred to is in North Kanara District. At the same time Police Escort should not have assumed that Siddapur is Coorg was referred to. In these circumstances, I am to state that the Government would be prepared to recover from the Jail officers at fault half the excess expenditure incurred viz., Rs.50-7-0 and remit the same to the Commissioner of Police, Civil and Military Station. His Highness's Government trust that this settlement of the matter will be acceptable.

I have the honor to be,
Sir,
Your most obedient servant,

R. J. d. v.